

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

9 JEREMY SETTLES,
10 Petitioner,
11 vs.
12 ROBERT LeGRAND, *et al.*,
13 Respondents.

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3:10-cv-00779-RCJ-VPC

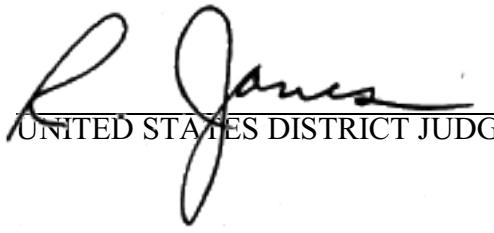
ORDER

15 This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a
16 state prisoner, is proceeding *pro se*. On April 25, 2011, the court ordered petitioner to file an amended
17 petition on the correct form for Section 2254 actions. On May 9, 2011, petitioner filed a second
18 amended petition. (ECF No. 9.)

19 **IT IS THEREFORE ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the
20 second amended petition (ECF No. 9) upon the respondents. A petition for federal habeas corpus should
21 include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his
22 petition, he may be forever barred from seeking federal habeas relief upon that claim. See 28 U.S.C.
23 §2254(b) (successive petitions). If petitioner is aware of any claim not included in his petition, he should
24 notify the court of that as soon as possible, perhaps by means of a motion to amend his petition to add
25 the claim.

1 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45) days** from entry of
2 this order within which to answer, or otherwise respond to, the petition. In their answer or other
3 response, respondents shall address any claims presented by petitioner in his petition as well as any
4 claims presented by petitioner in any statement of additional claims. Respondents shall raise all
5 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and
6 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,
7 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the
8 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have
9 forty-five (45) days from the date of service of the answer to file a reply.

10 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney General
11 of the State of Nevada a copy of every pleading, motion, or other document he submits for consideration
12 by the court. Petitioner shall include with the original paper submitted for filing a certificate stating the
13 date that a true and correct copy of the document was mailed to the Attorney General. The court may
14 disregard any paper that does not include a certificate of service. After respondents appear in this action,
15 petitioner shall make such service upon the particular Deputy Attorney General assigned to the case.

16 DATED: This 5th day of July, 2011.
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22 UNITED STATES DISTRICT JUDGE
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